

Amendment and Response

Applicant: Joe F. Goicoechea

Serial No.: 10/657,877

Filed: September 9, 2003

Docket No.: 200207903-1

Title: PURGING PRINT JOBS

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed February 24, 2009, in which claims 1, 5, 7-16, 20, 22-36, 40, and 43-45 were rejected.

With this Amendment, claims 1, 5, 9, 11, 16, 20, 24, 26, 31, 32, 35, 36, 40, 43, 44, and 45 have been amended to clarify Applicant's invention.

Claims 1, 5, 7-16, 20, 22-36, 40, and 43-45, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 101

Claims 1, 5, and 7-15 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

With this Amendment, independent claims 1, 5, 9, and 11 have been amended as suggested by the Examiner. Applicant, therefore, respectfully requests that the rejection of claims 1, 5, and 7-15 under 35 U.S.C. 101 be reconsidered and withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 5, 7, 8, 11-16, 20, 22, 23, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatti U.S. Publication No. 2003/0065404 in view of Garcia U.S. Publication No. 2003/0112464.

Claims 9, 10, 24-35, 40, and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatti, as modified by Schroath U.S. Publication No. 2003/0105995, and further in view of Garcia.

With this Amendment, independent claim 1 has been amended to clarify and recite **"wherein determining if the print job has expired includes identifying a time elapsed as measured from the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job" and "wherein purging the print job from the memory includes purging the print job if the malfunction has not been remedied within the duration."**

With this Amendment, independent claim 5 has been amended to clarify and recite **"wherein the expiration data indicate how long the print job is to be held in the memory once the malfunction is detected."**

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With this Amendment, independent claim 9 has been amended to clarify and recite **"the expiration data indicating a duration as specified by a user for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer," and "the time sensitive designation indicating that the print job is to be purged from the memory upon identifying that a time elapsed as measured from the detection of the malfunction exceeds the duration included in the expiration data."**

With this Amendment, independent claim 11 has been amended to clarify and recite **"wherein determining if the print job has expired includes obtaining expiration data included with the print job, identifying a time elapsed following the detection of the malfunction as a malfunction duration, and determining the print job as expired if the malfunction duration has exceeded a duration indicated by the obtained expiration data."**

With this Amendment, independent claim 16 has been amended to clarify and recite **"wherein determining if the print job has expired includes identifying a time elapsed as measured from the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job," and "wherein purging the print job from the memory includes purging the print job if the malfunction has not been remedied within the duration."**

With this Amendment, independent claim 20 has been amended to clarify and recite **"wherein the expiration data indicate how long the print job is to be held in the memory once the malfunction is detected."**

With this Amendment, independent claim 24 has been amended to clarify and recite **"the expiration data indicating a duration as specified by a user for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer," and "the time sensitive designation indicating that the print job is to be purged from the memory upon identifying that a time elapsed as measured from the detection of the malfunction exceeds the duration included in the expiration data."**

With this Amendment, independent claim 26 has been amended to clarify and recite **"wherein determining if the print job has expired includes obtaining expiration data**

included with the print job, identifying a time elapsed following the detection of the malfunction as a malfunction duration, and determining the print job as expired if the malfunction duration has exceeded a duration indicated by the obtained expiration data."

With this Amendment, independent claim 31 has been amended to clarify and recite **"including expiration data in the print job, the expiration data indicating a duration of how long the print job is to be held once a malfunction is detected," "identifying a first time elapsed as measured from the detection of the first malfunction," and "purging the time sensitive print job from the queue if the identified first elapsed time exceeds the duration indicated by the expiration data included with the print job and if the malfunction is not remedied within the duration."**

With this Amendment, independent claim 35 has been amended to clarify and recite **"wherein the expiration data indicates a duration as specified by a user for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer," and "the time sensitive designation indicating that the print job is to be purged from the memory upon identifying that a time elapsed as measured from the detection of the malfunction exceeds the duration included in the expiration data."**

With this Amendment, independent claim 36 has been amended to clarify and recite **"wherein the queue manager is operable to determine if the print job has expired by identifying a time elapsed as measured from the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job," and "wherein the expiration data indicate how long the print job is to be held in the queue once the malfunction is detected."**

With this Amendment, independent claim 40 has been amended to clarify and recite **"wherein the recovery feature is operable to determine if the print job has expired by identifying a time elapsed as measured from the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job," and "wherein the expiration data indicate how long the print job is to be held in the memory once the malfunction is detected."**

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With this Amendment, independent claim 43 has been amended to clarify and recite **"wherein the recovery feature is operable to determine if the print job has expired by identifying a time elapsed as measured from the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job,"** and wherein **"the expiration data indicate how long the print job is to be held in the memory once the malfunction is detected."**

With this Amendment, independent claim 44 has been amended to clarify and recite **"wherein the expiration data indicates a duration as specified by a user for holding the print job in a memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer,"** and **"the time sensitive designation indicating that the print job is to be purged from the memory upon identifying that a time elapsed as measured from the detection of the malfunction exceeds the duration included in the expiration data if the malfunction is not remedied within the duration."**

With this Amendment, independent claim 45 has been amended to clarify and recite **"means for purging the print job from memory if the print job has expired and the malfunction has not been remedied within the duration."**

Support for these amendments is provided in the Specification at least at, for example, para. [0008]; para. [0013]-[0014]; para. [0020]; para. [0021]-[0022]; para. [0024].

With respect to the cited references, Applicant submits that these references, individually or in combination, do not disclose a computer readable medium as claimed in independent claims 1, 5, 9, and 11, do not disclose a method as claimed in independent claims 16, 20, 24, 26, and 31, and do not disclose a system, print server, image forming device or printer driver as claimed in independent claims 35, 36, 40, 43, 44, and 45 including, amongst other things and in the respective combinations recited, wherein determining if the print job has expired includes identifying a time elapsed as measured from the detection of the malfunction and determining if the identified elapsed time has exceeded a duration indicated by expiration data included with the print job, wherein purging the print job from the memory includes purging the print job if the malfunction is not remedied within the duration, wherein the expiration data indicate how long the print job is to be held once the malfunction is detected, wherein the expiration data indicate a duration as specified by a user

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for holding the print job in a memory, and including identifying a time elapsed following the detection of the malfunction as a malfunction duration and determining the print job as expired if the malfunction duration has exceeded a duration indicated by the obtained expiration data.

Regarding the Bhatti reference, the job retention expiration date of the Bhatti reference is measured with reference to the date that the print job is stored (i.e., the current date) (see, e.g., para. [0024]-[0026]). The job retention expiration date of the Bhatti reference, however, is not measured from a detection of a malfunction, does not indicate how long a print job is to be held once a malfunction is detected, and does not identify a time elapsed following a detection of a malfunction as a malfunction duration, as recited in the present claims. In addition, deletion of retained jobs on the selected expiration date of the Bhatti reference does not include purging a print job if a malfunction is not remedied within a duration, and does not include determining a print job as expired if a malfunction duration has exceeded a duration indicated by obtained expiration data, as recited in the present claims.

Regarding the Garcia reference, the server of the Garcia reference records times T1 and T2 associated with the print job, wherein "T2 represents the time without notice from the receiver sub-system (E-Rx)," and wherein "T1 represents the total time the job is stored at the remote printing server" (para. [0066]). Neither time T1 nor time T2 of the Garcia reference, however, identify a time elapsed as measured from a detection of a malfunction, indicate how long a print job is to be held once a malfunction is detected, nor identify a time elapsed following a detection of a malfunction as a malfunction duration, as recited in the present claims.

In view of the above, Applicant submits that independent claims 1, 5, 9, 11, 16, 20, 24, 26, 31, 35, 36, 40, 43, 44, and 45, and the dependent claims depending therefrom, are each patentably distinct from the cited references and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1, 5, 7-16, 20, 22-36, 40, and 43-45 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1, 5, 7-16, 20, 22-36, 40, and 43-45 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Respectfully submitted,

Joe F. Goicoechea,

By,

DICKE, BILLIG & CZAJA, PLLC

Fifth Street Towers, Suite 2250

100 South Fifth Street

Minneapolis, MN 55402

Telephone: (612) 573-2006

Facsimile: (612) 573-2005

Date: MAY 26, 2009

SAL:skh

/SCOTT LUND/

Scott A. Lund

Reg. No. 41,166